

December 1, 1999

Dear FCC Commissioners and  
Staff,

DEC 15 1999  
FEDERAL MAIL ROOM

These Comments in MM 99-325  
have already been filed electronically.  
The present submission of "hard  
copies" is for backup purposes  
— and for the possible convenience  
of those staffers who are working  
on this Docket.

Yours,  
Don Schellhardt  
THE AMHERST ALLIANCE

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UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

**Re: FCC Docket No. MM 99-325**  
Proposed Digital Audio Broadcasting System  
aka IBOC Digitalization System

DEC 15 1999  
RECEIVED ROOM

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WRITTEN COMMENTS OF THE AMHERST ALLIANCE

THE AMHERST ALLIANCE is a nationwide citizens' advocacy group, with members recruited and mobilized primarily over The Internet. We advocate media diversity in general and Low Power Radio in particular.

We hereby submit Written Comments on the proposal, in FCC Docket MM 99-325, to establish a Digital Audio Broadcasting (DAB) System. This system is also known, perhaps more widely, as In Band On Channel (IBOC) Digitalization.

Our Comments are being filed electronically, with "backup" copies by mail.

Amherst has already addressed Digitalization in Written Comments filed in preliminary proceedings, as well as in Written Comments in MM 99-25. We have displayed a consistent interest and conveyed a consistent message: the need to leave enough room on the spectrum -- under ANY Digitalization scheme -- to establish and sustain a viable, meaningful Low Power Radio Service.

If our Members choose, we may present additional policy recommendations in Additional Comments. For now, however, we will restate our basic position.

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Our core message is, and has been, this:

**We can accept any form of Digitalization which leaves enough room on the spectrum for a viable, meaningful Low Power Radio Service.**

**We must oppose any form of Digitalization which doesn't.**

As a corollary policy position, we endorse neither the IBOC Digitalization technology nor the competing Eureka Digitalization technology. The provisions made to protect frequencies for Low Power Radio -- not the choice of one technology over another -- will determine whether we oppose, or accept, a particular Digitalization plan.

Having restated our basic position, we must add some qualifying statements.

FIRST, the basic neutrality of THE AMHERST ALLIANCE on IBOC Digitalization versus Eureka Digitalization -- and, indeed, its conditional neutrality on Digitalization itself -- constitute points of collective consensus. Some in the Low Power Radio movement fervently oppose any form of Digitalization. Others firmly oppose one technology, but not its rival. In both cases, these people speak for themselves. We speak for points of consensus.

SECOND, Amherst's conditional ACCEPTANCE of Digitalization should not be construed as actual advocacy of Digitalization.

Few Low Power activists, if any, endorse Digitalization. Most of us see it as a flawed attempt to address program content problems with a technological "fix" -- and we doubt it will generate the results which broadcasters expect. Most of us also wonder why Digitalization -- which is pressed forward solely by established broadcasters, with no support from anyone in the general public -- should be considered with more urgency than Low Power Radio, which has immense, intense and diverse support from the general public.

Deep (or not so deep) in our heart of hearts, most of us in the Low Power Radio movement wish that Digitalization would just go away.

Since it won't, however, we have been forced to ask ourselves whether we can live with it. The answer, as we stated above, is "Yes" -- CONDITIONALLY. We can accept Digitalization IF the new Low Power Radio Service is left with enough room on the spectrum to establish itself, sustain itself and grow.

THIRD, regarding this core concern, we commend the Commission for delaying its Digitalization proposal (MM 99-325) until late in the rulemaking process for a new Low Power Radio Service (MM 99-25). It is fair, wise and prudent to structure the two systems in tandem with each other -- and such an approach is fully consistent with our recommendation in earlier filings.

We also commend the Commission for apparently adopting our procedural recommendation, as expressed in Written Comments in MM 99-25, that the possible conversion of TV Channel 6 should be considered in an IBOC Digitalization rulemaking -- rather than in the ongoing MM 99-25 rulemaking to establish a Low Power Radio Service.

Frankly, Amherst and others have been hard-pressed to "comment in a vacuum" on whether TV Channel 6 should be converted to use by Low Power Radio. That is, we have been reluctant to decide whether access to Channel 6 is necessary UNTIL we know how many other slots on the spectrum will be left for us after Digitalization. Now that we can review the Commission's actual proposal for Digitalization, we may be able to make a judgment on this question in future filings with the Commission.

FOURTH, we wish to remind the Commission of something else we have mentioned in earlier filings: the fact that a few pioneers, in the Low Power Radio community, are beginning preliminary exploration of the potential for DIGITAL Low Power Radio. Nickolaus and Judith Leggett, co-authors (with Don Schellhardt) of the Petition For Rulemaking that triggered Docket RM-9208, are perhaps the most prominent of these pioneers -- but there are others. The power of these pioneers to touch the future should not be underestimated.

IN CONCLUSION, we urge the Commission to refrain from taking action on the MM 99-235 proposed rule -- UNTIL AND UNLESS the Commission has assured that enough room will be left on the spectrum to establish and sustain a viable, meaningful Low Power Radio Service.

Respectfully submitted,

A handwritten signature in cursive script, reading "Don J. Schellhardt", followed by a long horizontal line extending to the right.

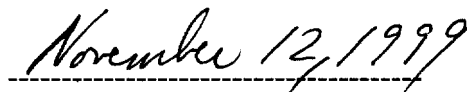
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*Copies of these Written Comments have been sent  
to every party who sent a copy of its Written Comments to us.*

Dated:

A handwritten date in cursive script, reading "November 12, 1999", with a horizontal line underneath.

November 12, 1999